



# **STANDING UP A NEW STATE ENTITY**

## ***Steps and Processes Manual***

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## FOREWARD

When the Taxpayer Transparency and Fairness Act of 2017 took effect on July 1, 2017, it restructured the State Board of Equalization (BOE) and separated its functions among three separate entities. BOE continued to perform its state Constitution duties, while all other duties were transferred to the newly established California Department of Tax and Fee Administration (CDTFA) and the Office of Tax Appeals (OTA).

The California Government Operations Agency (GovOps) oversaw the restructure of the BOE and the establishment of both the CDTFA and the OTA. The CDTFA was formed by relocating the majority of staff and tax programs from BOE to CDTFA. OTA was established as a “new entity”, to conduct the tax appeals functions unrelated to the constitutional authority of the BOE. These tax appeals functions were moved to OTA along with some BOE staff, while the rest of OTA’s staff were new hires, to be housed in a new facility.

This manual addresses the myriad tasks, duties and responsibilities that may be necessary to establish and make operational a new state entity, using the lessons learned from standing-up the OTA as a template. The tasks/activities included in this manual are premised on the reorganization having already taken place, either by way of legislation pursued by the Legislature or through the Governor’s reorganization process via the Little Hoover Commission.

The Governor’s Office (GO) will generally assign the responsibility of making the new entity operational to either a state department or an Agency<sup>1</sup> (Lead Entity). The Lead Entity will take charge and be responsible for establishing a Project Oversight Team (Team). This Team, will typically include representatives from the GO, Department of Finance (DOF), an Agency (if applicable), key members from other governmental entities who can contribute organizational and operational knowledge, and others as further described in this manual. The Project Oversight Team shall be responsible for ensuring the project stays on schedule, identifying initial tasking, and establishing all Workgroups and Workgroup Leads.

As noted above, this manual is designed to serve as a template/checklist, and has been made as generic as possible to apply to any new state entity (New Entity), so it can be modified to fit an entity’s specific needs. Modifications or additions to the included tasks may be necessary based on the unique features of the entity being formed.

Throughout the manual, tasks are sorted by the Workgroup that is primarily responsible for completing the task. However, many tasks do not exist in silos but are closely aligned with other Workgroups. For example, the Personnel Workgroup would need to be in close contact with the Facilities and IT Workgroups as decisions are made about

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<sup>1</sup> Not all state entities report to an Agency. All references to an Agency in this Manual are only applicable if the New Entity will report to an Agency.

staffing levels and work space requirements. Working with the other Workgroups and keeping them apprised is critical for the Team as a whole to accomplish its goals.

There has been an attempt to make the tasks generic enough so that they may be used as a resource and guide in the process of establishing any type of New Entity. Because New Entities often do not just “appear” but are the results of transferring/merging duties and responsibilities from another existing state entity (Existing Entity), program functions can either be new functions or functions transitioned from other Existing Entities. Regardless of the circumstances that created the New Entity, it is hoped that this manual will serve as a useful and practical reference tool.

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Marybel Batjer, Secretary

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Board of Equalization  
Franchise Tax Board  
California Department of Human Resources  
California Department of General Services  
California Department of Technology  
Financial Information System for California  
Office of Administrative Hearings  
Office of Tax Appeals

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## Chapter 1: PROJECT OVERSIGHT TEAM

**[1.1] Members:** The Lead Entity will generally identify members of the Project Oversight Team (Team). Members of the Team should include, but are not limited to, representatives from the GO, DOF, an Agency (if applicable) and representatives of the Existing Entity being transitioned or an entity with similar goals and mission who can provide organizational and operational knowledge.

**[1.2] Goal:** Establish the necessary Workgroups by identifying and categorizing the tasks that will need to be completed and creating a Task List<sup>2</sup> (See Attachment 1:1). Appoint Workgroup Leads. Establish a process (e.g., Team meetings) where Workgroup Leads can update the Team on progress and seek assistance from the Team on policy or other sensitive issues. Provide overarching guidance for the individual Workgroups and the Team as a whole.

**[1.3] Task List and Workgroups:** The Team will develop a comprehensive initial list of tasks to be completed.

- a) The Team should categorize and prioritize the tasks by Workgroup and assign Workgroup Leads. Workgroup Leads are expected to attend all Team meetings.
- b) Workgroup Leads should identify and recruit Workgroup members and schedule Workgroup meetings. The appropriate department heads may need to be contacted to assign staff to the Workgroups as needed. Subgroups may be formed as needed.
- c) The Team should ensure that the tasks, Workgroups, Leads, participants and task updates are memorialized and kept updated on the Task List.

**[1.4] Team Meetings:** The Team will decide on the frequency and method of the Team meetings (i.e., daily? weekly? in-person? conference call?). The Team meetings should be as frequent as necessary, winding down as tasks are completed. The Team meetings are an opportunity for Workgroup Leads to report their status and discuss issues that may require Team intervention.

**[1.5] Team Assignments:** The Team will assign staff for each Team meeting, to:

- a) Take notes during the Team meetings to memorialize the meetings, and to use these notes to update the Task List (See Attachment 1.1);
- b) Keep the Task List updated and distribute to Team members and Workgroup Leads;

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<sup>2</sup> The Task List included as Attachment 1:1 is a sample based on the Task List that was created when operationalizing the OTA. It is only intended to serve as a guide of what a Task List may look like. All of the sample documents included in this manual should be tailored to the specific needs of the New Entity.

- c) Develop Team Meeting Agendas. Include updates from each Workgroup Lead, as well as updates on specific tasks and items of particular interest/concern.
- d) Update and distribute the list of Workgroups, Workgroup Leads, and participants with contact information.

**[1.6] Workgroup Responsibilities:** Tasks are sorted by the Workgroup that is primarily responsible for completing the task. However, many of the tasks do not exist in silos but are closely aligned with other Workgroups, and may require a collaborative effort to complete.

Workgroups should begin by meeting daily, but may meet less frequently as tasks are accomplished. Collaborating with the other Workgroups and keeping them apprised is critical for the Team as a whole to accomplish its goals.

**[1.7] Budget Change Proposal:** The Project Oversight Team should consider the need for a Budget Change Proposal (BCP) at the outset. If it is determined that a BCP is necessary, the Team should gather information from the applicable Work Groups to begin drafting the BCP early in their planning process. BCPs are used in a variety of ways, such as changing the level of service or funding sources for activities authorized by the legislature, or to propose new program activities not currently authorized. For example, if the New Entity will need additional personnel or facilities a BCP will need to be prepared. When practical, the Team and Workgroups should work collaboratively on the BCP to ensure a cohesive document.

**[1.8] Communications:** All communications intended for public release should be cleared through the Communications Workgroup, and presented at the Team meetings as appropriate, before release. Communications include, but are not limited to, all notices, correspondence, scripts/talking points, and information to be posted on the New Entity's website. Consider whether legal review is also warranted.

**[1.9] Guidance/Resources:** GO, DOF, California Department of Technology (CDT), California Department of Human Resources (CalHR), bill sponsor, and other agencies/departments with a similar mission/operation. Gather any drafted Implementation Plan, Enrolled Bill Report, Legislative Analyses and findings, Fiscal Impact Analyses, Governor's Signing Message, Governor/Executive Orders, DOF appropriation, audit reports, and any other relevant documentation developed/referenced for the enabling legislation and the New Entity, if available.

**See the following examples/templates:**

1.1: [OTA Task List Sample](#)

## Chapter 2: PROGRAM DEVELOPMENT/TRANSITION WORKGROUP

**[2.1] Members:** Representatives from the GO, Agency and representatives of the Existing Entity or an entity with similar goals, missions and operations.<sup>3</sup>

**[2.2] Goal:** This Workgroup is charged with transitioning/developing the program functions of the New Entity, so that it can become operational and achieve its mandated mission and goals.

**[2.3] Tasks:** Outline the program functions of the New Entity, and track efforts to enable program functions so the New Entity is operational by a mandated/specified date. Considerations should include the following, as appropriate:

- a) Identify all publications and documents that need to be created/modified to accommodate the New Entity.
- b) Identify any resources and files (physical and electronic) that need to be transferred or created. Consult with the Information Technology (IT) Workgroup.
- c) Identify any new/amended contracts, Memoranda of Understanding (MOUs), Interagency Agreements (IAs), Executive Orders, Governor's Orders, etc., that may be needed. Identify affected entities and assign timelines (e.g., MOU for work continuity with Existing Entity? For exchange of information?). Consult with the Legal-Legislation Workgroup if formed, or seek legal counsel.
- d) If there is a need to have Existing Entities share confidential information with the New Entity, consult with the Legal-Legislation Workgroup if formed, or seek legal counsel.
- e) Identify any existing agreements with any private, local or federal governmental entities and determine whether they need to be modified or whether new agreements should be put in place. Consult with the Legal-Legislation Workgroup if formed, or seek legal counsel.
- f) Determine "Hard Stop" dates (firm deadlines) for program functions to be transferred from one entity to the other, or by which program functions for the New Entity should be set up and operational.
- g) Identify and procure materials and resources that the New Entity staff will need (electronic subscriptions, digital services, Standard Operating Procedures, professional organization guidance, compendiums of state/federal statutes and regulations, reference materials, publications,

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<sup>3</sup> The "Members" section of each chapter in the manual provides guidance on Workgroup members. The Lead Entity can consult with the GO to determine whether specific Existing Entities including, but not limited to, the GO should have representatives included as members of a Workgroup.



checklists, forms, etc.). Consult with the Department of General Services (DGS) for help with procurement. In addition, consult with the Team to determine whether a BCP to obtain funding is necessary.

- h) Determine a funding source to charge for staff working on development efforts prior to the New Entity being established. Consult with DOF.
- i) Prepare a plan to identify and notify stakeholders, as appropriate, of the New Entity and its responsibilities. This will include determining the timing of legally required notices/activities. Consult with the Communications Workgroup, and the Legal-Legislation Workgroup if formed, or seek legal counsel.
- j) If applicable, review/identify any task force, advisory body or multiagency groups that include the Existing Entity that will need to be transitioned to the New Entity.

**[2.4] Guidance/Resources:** Consult with the Existing Entity if available, or obtain information/guidance from other state entities with similar goals, missions and operations. Consult with CalHR, DOF, DGS and CDT as needed.

## Chapter 3: PERSONNEL WORKGROUP

**[3.1] Members:** Representatives from the GO, Agency, CalHR and DOF.

**[3.2] Goal:** Ensure the New Entity is fully staffed, with a legally compliant reporting structure.

**[3.3] Tasks:**

- a) Preparations for Hiring:
  - (1) Determine staffing needs “Full-Time Equivalents” (FTE’s) for the New Entity.
    - (i) Identify which positions will be exempt and which will be CEA appointments. Consult with the GO.
    - (ii) Determine whether the New Entity will administer its own programs, (e.g., Human Resources, Information Technology, Budgeting and Accounting, Communications, Procurement Services, and specialized staff needs (i.e., Court Reporters, etc.)) in-house or whether it will obtain services from an Existing Entity through an IA. IAs can be temporary while permanent positions are being established.
    - (iii) Identify positions at an Existing Entity that may be transferred to the New Entity.
    - (iv) Identify any new positions that will need to be established for the New Entity.
    - (v) Determine whether hiring may need to be divided into phases, with priority given to those positions that must begin working immediately.
    - (vi) Make sure the New Entity has all legally required positions (e.g., Equal Employment Opportunity (EEO) Officer, Information Security Officers).
  - (2) Prepare an Organization Chart with the reporting structure for the New Entity, and include branch offices if applicable. Keep the Facilities Workgroup apprised.
  - (3) In the event of a transition, identify existing functions and personnel that will transfer to the New Entity.
    - (i) Determine how selection of transferring staff will be made. Whether based on duties, seniority, etc.

- (ii) Comply with governing labor laws (Notice to Unions, etc.) regarding transfer of functions and personnel. Consult with CalHR's Labor Relations Office.
  - (iii) Develop a communication plan so that management meets with transferring employees after complying with any union notice/labor requirements.
- (4) Confer with the Team regarding the need for a BCP early in the personnel planning process. If a BCP is necessary, prepare the personnel portion of the BCP. If the BCP will address matters beyond personnel, work with the Team and other Workgroups on a comprehensive BCP that contains subsections to address all of the New Entity's needs. Consult with the Team and DOF.
- (5) Review and modify job descriptions and salaries from other, similar Existing Entities as necessary.
- (6) Determine Class Specifications and staff duties and use them to develop Duty Statements for each position.
- (7) Check existing Exam Lists. Determine whether existing lists are sufficient or whether new Exams are needed. Consult with CalHR.
- (8) Make sure the New Entity is fully integrated into the Examination and Certification Online System (ECOS) to be able to post new job listings. Consult with CalHR.
- (9) Post Job Bulletins and Announcements to the New Entity's website and ECOS. Consult with the Communications Workgroup
- b) Hiring Process:
  - (1) Determine the hiring priorities for the New Entity and create a timeline for completing this process.
    - (i) Identify where recruitment may be needed and develop a plan to fill the needed positions.
    - (ii) Gather all hiring-related paperwork. Consult with CalHR.
    - (iii) Establish Interview and Selection Panels. Consult with CalHR.
    - (iv) Document any hiring difficulties and work with CalHR/DOF on strategies to overcome them (e.g., utilize Retired Annuitants temporarily, research pay differentials). Hiring difficulties can be due to salary issues, location of the work, specialized positions, etc.

- (2) Upon completion of staff hires, give the staffing list to the IT Workgroup. The IT Workgroup will ensure that all IT planning and setup of hardware and software for the new staff is completed at the New Entity's facility.
  - (3) Determine any Reasonable Accommodation needs for staff during the hiring process. Consult with the Facilities Workgroup.
  - (4) Order business cards for all staff. Consult with the Communications Workgroup.
  - (5) Order photo identification/building access cards for all staff. Consult with the Facilities Workgroup.
- c) Department Policies:
  - (1) The New Entity's administration staff will need to develop state mandated internal policies and procedures (e.g., EEO/Discrimination Complaints, Sexual Harassment Prevention, and Conflict of Interest). Some policies will need to be formally Noticed to the Unions for review and comment while others will just need a courtesy review. Consult CalHR's Labor Relations Office.
- d) Existing Personnel Matters:
  - (1) If applicable, review/identify the current status of disciplinary cases, Worker Compensation claims, Leave Agreements, Arbitration, Exempt Settlements, Blanket positions, Retired Annuitants, Hiring Freeze, etc.

**[3.4] Guidance/Resources:** Review Existing Entity organization charts/workforce plans if available. Consult with DOF regarding staffing requirements, review the staffing estimates in the Fiscal Impact Analysis for the enabling legislation, etc. Consult with CalHR for guidance on staffing, recruitment, pay scales, specialist positions, duty statements, bulletins, job postings and hiring paperwork.

## Chapter 4: FACILITIES WORKGROUP

**[4.1] Members:** Representatives from the GO and Agency, DGS' Real Estate Services Division (RES D), DOF, and representatives of the Existing Entity or an entity with similar goals, missions and operations.

**[4.2] Goal:** Determine the facility location(s) for the New Entity and all their attendant needs for the facility.

**[4.3] Tasks:**

- a) Develop Program Data for DGS's RESD to use as criteria as they research office space for the New Entity. This will include considerations such as office/cubicle needs, conference/meeting rooms, hearing room, public/private access, building security, secure access (metal detectors/security), parking availability, etc.
  - (1) Determine whether "swing" space (temporary space during build-out of permanent space) and/or "hoteling space" (space contracted on an as-needed basis) may be needed. If it is, notify DGS's RESD as soon as possible.
- b) Determine location(s) for the New Entity Headquarters and any remote offices that are required. Consult with DGS's RESD.
- c) Have DGS RESD negotiate and establish all necessary facility leases.
- d) Determine whether new furniture or furniture from an Existing Entity will be used by the New Entity. If new furniture is needed, purchase office furniture and arrange for delivery. Consult with DGS.
  - (1) Arrange for the purchase or transfer of office equipment, including desk phones, cell phones, computers, laptops, specialized equipment, etc. Consult with the IT Workgroup.
  - (2) Identify specialized IT needs (conference call capability, video streaming, microphone/speakers for the conference room along with projector/flat screen, sophisticated scanners, publishing machines, transcription machine, etc.). Consult with the IT Workgroup.
  - (3) If a public hearing room is to be utilized by the New Entity, purchase flags, State Seal, podium, etc. Work with entities that do public hearings to get information on procurement and room set up (e.g., DOF, DGS' Office of Administrative Hearings).

- (4) Determine what type of building and office signage is needed (e.g., outside (public facing), interior, for hearing room as appropriate). Consult with DGS to procure all necessary signage.
- e) Work with DGS on the floorplan layout. Incorporate offices/cubicles based on Bargaining Unit size requirements. Consult with the Personnel Workgroup for anticipated staffing and classifications.
- f) Confer with the Team and consider the need for a BCP early in the facilities planning process. If necessary, prepare the facilities portion of the BCP for all identified facility needs. Work with the Team and other Workgroups as appropriate to prepare one comprehensive BCP that covers all of the New Entity's needs. Consult with the Team and DOF.
- g) Outline the sequence of the move. If the move is being phased, or if dealing with "swing" space, determine a staff rotation schedule. Consult with DGS.
- h) Determine whether a P.O. Box is needed. Considerations include secure delivery, restricted access, centralized location, etc. Identify any restrictions on what may be received at the P.O. Box. An estimate of the volume of mail will be needed to determine the P.O. Box size. The New Entity will need to authorize and assign specific staff access to the P.O. Box.
- i) Determine publishing needs for the New Entity. Decide whether publishing needs will be satisfied in-house, by the State Publisher, or whether it will need to be contracted out.
- j) Contract with a moving company, if needed. Consult with DGS.
- k) If applicable, confirm an Existing Entity's in-state and out-of-state equipment and offices (owned and leased), and verify current occupancy.
- l) If necessary, review/determine fleet management needs with DGS' Office of Fleet Management.

**[4.4] Guidance/Resources:** DGS's RESD and CDT will be primary resources.

**See the following examples/templates [from DGS RESD]:**

- 4.1: [Sample Program Data DGS used to research locations for OTA Offices](#)
- 4.2: [Application for Post Office Caller Service \(PS Form 1093-C\)](#)
- 4.3: [Application for City of Sacramento Caller Service \(Form 5102X\)](#)

*Note: The Post Office Applications will need to be accompanied by two forms of applicant identification and the appropriate fee. Contact the Postal Service for the most current applications and fee information.*

## Chapter 5: BUSINESS/ FISCAL SERVICES WORKGROUP

**[5.1] Members:** Agency, Financial Information System for California (FI\$CAL), DGS-Contracted Fiscal Services (CFS), and DOF.

**[5.2] Goal:** Establish and set up all necessary business and fiscal services.

**[5.3] Tasks:**

a) Expedite the following tasks:

- (1) Establish delegations (e.g., procurement, human resources, information technology) from Existing Entities to New Entity, if needed. Determine whether these will be temporary delegations until the New Entity is able to take over, or whether they will be permanent delegations. Consult with the Personnel Workgroup.
- (2) Determine whether the New Entity will administer its own budget and/or accounting services, or will obtain those services from another entity through an IA (e.g., DGS – CFS).
- (3) Work with the State Controller’s Office (SCO) to:
  - (i) Set up a Payroll Agency Code.
  - (ii) Obtain employee position numbers from the Personnel/Payroll Services Division.
  - (iii) Obtain payroll header information from the Fiscal Division. At least one-week lead time is needed to set this up in the legacy system.
  - (iv) Get SCO Voucher / Claim Schedule Authorization (AUD 10), which authorizes the New Entity to approve payments on vouchers and claim schedules.
  - (v) Establish the Electronic Fiscal Input Transaction System (eFITS) to remit funds to the State Treasury.
  - (vi) Submit a memo or notification to the SCO Disbursement Unit to authorize specific staff to pick up payroll and other warrants.
- (4) Work with DOF to:
  - (i) Set up Budgeting Codes for the New Entity.
  - (ii) Establish an Organization Code for the New Entity.
  - (iii) Request a Central Treasury System (CTS) account from State Treasurer’s Office.

- (5) Apply for a Federal Employer Identification Number (FEIN) for the New Entity with the Internal Revenue Service.
- (6) Work with DGS to:
  - (i) Set up a DGS Customer Account Number (aka Billing Code) for the New Entity ([www.dgs.ca.gov/ofs/Forms.aspx](http://www.dgs.ca.gov/ofs/Forms.aspx)).
  - (ii) Set up receipt of Payroll Warrants for New Entity with DGS-CFS, If CFS does the accounting for New Entity.
  - (iii) Establish DGS Purchasing Authority for the New Entity through the Purchasing Authority Application process.
- (7) Work with FI\$CAL to:
  - (i) Provide authorization for FI\$CAL to set up the New Entity's processes.
  - (ii) If DGS-CFS is handling budgeting and/or accounting services, get authorized signature on the Division of FI\$CAL Role Assignment, to authorized DGS-CFS to transact on behalf of the New Entity.
  - (iii) Get authorized signature on FI\$CAL's Departmental Authority & Designee (DAD).
  - (iv) Get authorized signature on FI\$CAL's Memorandum of Understanding (includes Data Classification and Protection Framework Agreement).
  - (v) Work with FI\$CAL to configure the New Entity in PeopleSoft for procurement, budgeting and accounting, including any data conversion, and/or system interface and validation.
- b) These tasks can wait until New Entity's' Administrative Office is set up:
  - (1) IA between the New Entity and the SCO for expedited claims services.
  - (2) Set up an Office Revolving Fund (ORF) Account with the SCO.
  - (3) Submit a *California Automated Travel Expense Reimbursement System* (CalATERS) Global Department Application to the SCO.
  - (4) If DGS-CFS does the accounting for the New Entity, get authorized signature on DGS' Document Approval Authorization – which memorializes the documents that DGS-CFS is authorized to sign on behalf of the New Entity.



- (5) Establish a Fed-Ex Account, as needed.
- (6) Establish a contract with DGS' State Records Center for storage services and the destruction of confidential paper records.
- (7) Consult with DGS to establish a Commute Program Benefit for the New Entity. Apply for Transit Vouchers for interested staff.
- (8) Set up FI\$CAL's Process Procurement Card Transaction (P-card, formerly called the Cal-Card) as an expedited method of payment on Requisitions and Purchase Orders.
- (9) Procure a check printer and software to print Office Revolving Fund checks. (This is not needed if CFS does the accounting for the New Entity).

**[5.4] Guidance/Resources:** SCO, DOF, DGS-CFS, and FI\$CAL.

## Chapter 6: INFORMATION TECHNOLOGY WORKGROUP

**[6.1] Members:** Representatives from CDT, and representatives of the Existing Entity or an entity with similar goals, missions and operations.

**[6.2] Goals:** Identify and provide all information and communication technology needs for the New Entity.

**[6.3] Tasks:**

- a) Establish information security policies.
  - (1) Identify an Information Security Officer to establish basic security protocols/best security practices, or leverage another state entity's information security program to consult.
  - (2) Establish an Information Security Policy framework. Consult with CDT's Office of Information Security.
- b) Reserve a domain name for the New Entity.
  - (1) The domain name will provide the basis for employee email addresses.
  - (2) Set up a website template page for the New Entity so the Communications Workgroup may populate.
- c) Determine IT staff and support needs (temporary and/or permanent). Determine who will do the initial computer migration and setup for the New Entity, and provide on-going desktop help (in-house or vendor). If in-house, then another state entity may need to provide the training. Initial computer setup includes the development of a standard computer image which includes all standard hardware, software and security configurations required by the New Entity.
- d) Determine whether the New Entity, in the long term, will administer its own Information Technology Program or will obtain those services from another state entity through an IA.
- e) Obtain the staffing list for the New Entity for the computer profile setup. Consult with the Personnel Workgroup.
- f) Establish new e-mail addresses for all staff at the New Entity.
- g) If the New Entity will be located in a new facility, obtain a floorplan as soon as possible so the IT staff can plan for phones, network and Wi-Fi installation. Consult with the Facilities Workgroup.
  - (1) Provide voice and data communications specifications to lessor. Consult with the Facilities Workgroup.

- (2) Buildings that have never had a state tenant will take longer to get a network established (60 days). Network installations may further be complicated by the age of the building and any asbestos issues.
  - (3) Install circuit, routers and network switch, after determining how many ports are required in the new building (including the conference room(s)).
- h) Identify all IT needs including computers, laptops, software, phones (land lines, cell and fax), copiers, scanners and other IT equipment, etc.
  - (1) Determine specialized software and hardware needs. Consult with DGS for procurement. For specialized software utilize the “agile” approach, where a minimally viable product is delivered within a relatively short period and is added to/modified as it is put in operational use.
  - (2) Identify databases/macros that should be transitioned/established.
  - (3) Identify security requirements (restrictions/access to data files, etc.)
- i) Confer with the Team about the need for a BCP early in the IT planning process. If a BCP is necessary, prepare the IT portion of the BCP for all identified IT needs. If the BCP will address matters beyond IT, work with the Team and other Workgroups as appropriate to prepare one comprehensive BCP that covers all of the New Entities needs. Consult with the Team and DOF.
- j) Identify a system(s) and web administrator(s). Consult with the Personnel Workgroup.
- k) Determine “hard stop” dates (firm deadlines) to begin accessing new/transferred data (physical and electronic).
- l) Establish a Service Level Agreement (SLA) with CDT and state entity business programs for IT services, if necessary.
- m) Create an interested stakeholders listserv; add self-subscribe functionality to the New Entity’s website. Consult with the Communications Workgroup.
- n) Establish secure file transfers to other entities, as appropriate.
- o) As applicable to the New Entity, review the status of the Existing Entity’s current IT projects.
- p) Prepare for the split of internet platforms [Note: this is for a unique situation when splitting a single department into two departments which require separate platforms – this wouldn’t apply to most situations].

**[6.4] Guidance/Resources:** DOF and CDT.

## Chapter 7: COMMUNICATIONS AND OUTREACH WORKGROUP

**[7.1] Members:** Representatives from the Communication Offices of the GO and Agency, and representatives of the Existing Entity or an entity with similar goals, missions and operations.

**[7.2] Goals:** Develop/review all communications and outreach efforts generated by this Workgroup and the rest of the Team.

**[7.3] Tasks:**

- a) Establish protocols for the Communications Workgroup to review/approve all documents or communications for the New Entity going to the press/public, before they are presented to the Team and/or released. This includes information to be posted on the New Entity's website.
  - (1) Develop/update brochures and other documents, for outreach and communications.
  - (2) Draft announcements/press releases (for executive hires at New Entity, etc.).
- b) Direct all inquiries to the Communications Workgroup, until the New Entity's Public Relations Office is established. Develop protocols for answering inquiries from the press and public.
- c) Establish the New Entity's Website and determine content (New Entity/transition information, FAQ, links to previous Existing Entities, etc.). Consult with the IT Workgroup.
  - (1) Develop short and long term plans for website changes, updates and maintenance to both the internal and external facing websites.
  - (2) Update website, posted documents, etc., to reflect changes in law due to approved legislation, emergency regulations, etc. Consult with the Legal-Legislation Workgroup if formed, or seek legal counsel.
  - (3) Develop content, permissions and employee access to the Intranet.
  - (4) Review/consider web links to external agencies and add to website if needed.
- d) Identify if there is a need for posting and distributing public meeting/hearing information. Set up and utilize a listserv for distributing public meeting notices within legally prescribed timeframes. Consult with the IT Workgroup, and the Legal-Legislation Workgroup if formed, or seek legal counsel.

- e) Establish and monitor a generic e-mail address for use by members of the public. Utilize an “auto-response” if necessary until the New Entity is fully staffed to monitor/respond to e-mails. Consult with the IT Workgroup.
- f) Develop plans for a logo and modify/establish forms, publications, letterhead, business cards, FAQs, etc. Consult with the Program Development/Transition Workgroup.
- g) Create a business card template (the State Publisher has guidance).
- h) Establish all necessary Social Media Accounts for the New Entity.

**[7.4] Guidance/Resources:** GO and Agency Communications Staff.

## Chapter 8: MISCELLANEOUS

*The following are additional Workgroups that were used to operationalize OTA; however, they may not be necessary for all New Entities. Establish the following Workgroups as necessary for your New Entity.*

### [8.1] Emergency Regulations Workgroup

- a) **Members:** Representatives from the Legal-Legislation Workgroup if established or legal/legislative staff from an Existing Entity or an entity with similar goals, missions and operations.
- b) **Goals:** Draft, vet and promulgate (publish) emergency regulations.
- c) **Tasks:**
  - (1) Prepare draft emergency regulations (ER) for New Entity.<sup>4</sup>
  - (2) Establish protocols for review/approval of the draft ER and review of any comments received.
  - (3) Establish roll-out plan for the draft ER with deadlines for vetting and release.
  - (4) Develop master schedule for Informal Stakeholder Meeting(s) on the draft ER. Establish plans and deadlines to secure the meeting location, send out the Notice with a link to the draft ER, arrange for IT setup, court reporter, sign-in, etc.
  - (5) After approval by the Office of Administrative Law (OAL), post the ER on the New Entity's webpage, with "draft" removed, and send notice to the listserv. Consult with the IT Workgroup.
  - (6) Review and provide input to update forms, website, documents, etc., to conform with the language in the ER. Consult with the Communications Workgroup, and the Legal-Legislation Workgroup if formed or seek legal counsel.
  - (7) After ER are approved and promulgated, make plans to hold stakeholder meetings and get input for the permanent regulations.
  - (8) Create messaging to communicate/educate stakeholders about the regulatory process. Consult with OAL.

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<sup>4</sup> Determine whether the ERs were statutorily exempted from the APA.

- (9) Develop a timeline for completing the “Certificate of Compliance” (permanent regulations).
- d) **Guidance/Resources:** OAL; Latest edition of the *California Rulemaking Law under the Administrative Procedures Act* (APA).

## **[8.2] Training Workgroup**

- a) **Members:** Representatives from the Existing Entity or an entity with similar goals, missions and operations.
- b) **Goals:** Prepare a training plan and arrange for/schedule training as appropriate for the New Entity’s staff.
- c) **Tasks:**
  - (1) Develop a Staff Training Plan for each employee classification, and put together a Training Matrix to track. Include New Employee Orientation/On-Boarding, New Supervisor/Manager Training and Sexual Harassment Prevention Training, etc.
  - (2) Identify who will perform the training: in-house, CalHR or the private sector. Obtain authority/mechanism to contract with private sector trainers, if needed.
  - (3) Identify any specialized training/certification, if needed.
  - (4) Identify training on electronic subscriptions/digital services, if needed.
  - (5) Identify any specialized software training, if needed.
  - (6) Secure training space and ensure adequate logistics (tables/chairs, microphone, screen/projector, etc.).
  - (7) Develop/provide training materials.
  - (8) The New Entity’s administration staff needs to complete DGS’ Procurement Training so the New Entity can have procurement authority. Consult with the Business/Fiscal Services Workgroup.
- d) **Guidance/Resources:** CalHR’s State Training Program; DGS for contracting for private sector training.

### [8.3] Legal-Legislation Workgroup

- a) **Members:** Representatives from the legal and legislative offices of the GO and Agency, and representatives of the Existing Entity or an entity with similar goals, missions and operations.
- b) **Goals:** Oversee and provide legal guidance for the New Entity; draft/review legislation as needed.
- c) **Tasks:**
  - (1) Help negotiate and oversee all new and revised IAs, Delegations of Authority, Information Exchange Agreements, Executive Orders, Governor's Orders, etc., as necessary.
  - (2) Identify and draft any potential agreements with local, state or federal agencies as necessary.
  - (3) Provide guidance on the timing of any legally required notices to the public and/or stakeholders, as appropriate.
  - (4) Provide guidance on Conflict of Interest laws and the Form 700. Consult with the Secretary of State.
  - (5) Provide guidance to the New Entity's executive staff to file an "Assuming Office" statement within 30 days of accepting the position.
  - (6) Review all administrative policies and guidelines for the New Entity.
  - (7) Identify any legal issues training that may be necessary for employees of New Entity (e.g., Ethics Training, Ex-Parte Communications Training, etc.) Consult with the Training Workgroup.
  - (8) Identify any open civil and administrative litigation and external audits that may affect/involve the New Entity.
  - (9) Determine the need for cleanup bills/follow-up legislation affecting the New Entity.
  - (10) Prepare for any Legislative Working Groups/Budget Oversight Hearings.
  - (11) Assist with inquiries from the GO and/or the Legislative Analyst's Office.
- d) **Guidance/Resources:** GO and Agency legal and legislative staff.